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17 Attorneys for Defendant
18 ALASKA AIRLINES, INC.

19 UNITED STATES DISTRICT COURT
20 DISTRICT OF NEVADA

21 REDA A. GINENA, NAHID I. GINENA, AMRE
22 R. GINENA, SABRINA KOBERT, M. MAGDY
23 H. RASIKH, M. SAMIR MANSOUR, AZZA
24 EID, NAZMI M. NAZMI, and HEBA NAZMI,

25 Plaintiffs,

26 v.

27 ALASKA AIRLINES, INC.,

28 Defendant.

Case No. CV-S-04-1304-RCJ-LRL

**ALASKA AIRLINES, INC.'S
OBJECTION TO THE
DECLARATION OF DIANA
FAIRECHILD**

22
23 **I. GENERAL OBJECTION**

24 Plaintiffs' Opposition to the motion for summary judgment under the Tokyo Convention
25 makes a single reference to the declaration of Diana Fairechild in a footnote on page 15 of their
26 brief. This alone demonstrates the irrelevance of her opinions offered in support of Plaintiff's
27 Opposition. Nonetheless, Plaintiffs' submit her 12-page declaration in support of their
28 Opposition without explanation as to how her statements have any bearing on the Court's

1 determination of Alaska Airlines' motion. Moreover, Ms. Fairechild is not qualified to offer an
2 expert opinion on the issues presented in the motion and the case in general. For example, she is
3 not a pilot, she has no security or law enforcement background, and has not flown with an airline
4 since the heightened security requirements following the events of 9/11. Ms. Fairechild's
5 opinions go beyond her area of expertise and are completely irrelevant to the Court's
6 determination of whether Alaska Airlines' is entitled to Tokyo Convention immunity.

7 Dated: January 23, 2006

MORRISON & FOERSTER LLP

9 By: /s/ Don G. Rushing

10 Don G. Rushing
William V. O'Connor, Jr.

11 Attorneys for Defendant
12 ALASKA AIRLINES, INC.

13 **ORDER**

14 THIS COURT, having considered the objection of Defendant Alaska Airlines to the
15 Declaration of Diana Fairechild, and after having heard the statements of counsel and being fully
16 apprised in the premises, HEREBY ORDERS that Alaska Airlines' Objection to the declaration
17 of Diana Fairechild is sustained and all references to it be stricken from the record.

18 BY THE COURT:

19 Dated _____, 2006

20
21 Honorable Robert C. Jones
22 District Judge